

107TH CONGRESS
1ST SESSION

H. R. 2362

To establish the Benjamin Franklin Tercentenary Commission.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2001

Mr. BORSKI (for himself, Mr. BRADY of Pennsylvania, Mr. COYNE, Mr. DOYLE, Mr. ENGLISH, Mr. FATTAH, Mr. GEKAS, Mr. GREENWOOD, Ms. HART, Mr. HOEFFEL, Mr. HOLDEN, Mr. KANJORSKI, Mr. MASCARA, Mr. MURTHA, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. SHERWOOD, Mr. SHUSTER, Mr. WELDON of Pennsylvania, and Mr. PITTS) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

To establish the Benjamin Franklin Tercentenary
Commission.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be referred to as the “Benjamin Frank-
5 lin Tercentenary Commission Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) Benjamin Franklin was one of the most ex-
2 traordinary men of the generation that founded the
3 United States. Around the world, he remains one of
4 the best-known Americans who has ever lived.

5 (2) Benjamin Franklin's achievements include
6 his literary work, his creation of philanthropic and
7 educational institutions, his significant scientific ex-
8 plorations, and his service to the Nation as a states-
9 man and diplomat.

10 (3) Benjamin Franklin was the only American
11 to sign all 5 enabling documents of the United
12 States.

13 (4) All people in the United States could benefit
14 from studying the life of Benjamin Franklin and
15 gaining a deeper appreciation of his legacy to the
16 Nation.

17 (5) January 17, 2006 is the 300th anniversary
18 of the birth of Benjamin Franklin, and a commis-
19 sion should be established to study and recommend
20 to the Congress activities that are fitting and proper
21 to celebrate that anniversary in a manner that ap-
22 propriately honors Benjamin Franklin.

1 **SEC. 3. ESTABLISHMENT.**

2 There is established a commission to be known as the
3 Benjamin Franklin Tercentenary Commission (referred to
4 in this Act as the “Commission”).

5 **SEC. 4. DUTIES.**

6 (a) STUDY.—The Commission shall have the fol-
7 lowing duties:

8 (1) To study activities by the Government that
9 would be fitting and proper to honor Benjamin
10 Franklin on the occasion of the tercentenary of his
11 birth, including the following:

12 (A) The minting of a Benjamin Franklin
13 tercentenary coin.

14 (B) The issuance of a Benjamin Franklin
15 tercentenary postage stamp.

16 (C) The convening of a joint meeting or
17 joint session of the Congress for ceremonies and
18 activities commemorating Benjamin Franklin.

19 (D) The rededication of the Benjamin
20 Franklin National Memorial at the Franklin In-
21 stitute in Philadelphia, Pennsylvania, or other
22 activities with respect to that memorial.

23 (E) The acquisition and preservation of ar-
24 tifacts associated with Benjamin Franklin.

1 (F) The sponsorship of publications, in-
2 cluding catalogs and scholarly work, concerning
3 Benjamin Franklin.

4 (G) The sponsorship of conferences, exhibi-
5 tions, or other public meetings concerning Ben-
6 jamin Franklin.

7 (H) The sponsorship of high school and
8 collegiate essay contests concerning the life and
9 legacy of Benjamin Franklin.

10 (2) To recommend to the Congress in one or
11 more interim reports submitted under section 9(a)—

12 (A) the activities that the Commission con-
13 siders most fitting and proper to honor Ben-
14 jamin Franklin on the occasion of the tercente-
15 nary of his birth; and

16 (B) the entity or entities in the Federal
17 Government that the Commission considers
18 most appropriate to carry out such activities.

19 (b) POINT OF CONTACT.—The Commission, acting
20 through its secretariat, shall serve as the point of contact
21 of the Government for all State, local, international, and
22 private sector initiatives regarding the tercentenary of
23 Benjamin Franklin's birth, with the purpose of coordi-
24 nating and facilitating all fitting and proper activities hon-
25 oring Benjamin Franklin.

1 **SEC. 5. MEMBERSHIP.**

2 (a) NUMBER AND APPOINTMENT.—The Commission
3 shall be composed of 15 members as follows:

4 (1) The Librarian of Congress.

5 (2) 14 qualified citizens, appointed as follows:

6 (A) 2 members appointed by the President.

7 (B) 2 members appointed by the President
8 on the recommendation of the Governor of the
9 Commonwealth of Pennsylvania.

10 (C) 2 members appointed by the President
11 on the recommendation of the Governor of the
12 Commonwealth of Massachusetts.

13 (D) 2 members, at least 1 of whom shall
14 be a Senator, appointed by the majority leader
15 of the Senate.

16 (E) 2 members, at least 1 of whom shall
17 be a Senator, appointed by the minority leader
18 of the Senate.

19 (F) 2 members, at least 1 of whom shall
20 be a Member of the House of Representatives,
21 appointed by the Speaker of the House of Rep-
22 resentatives.

23 (G) 2 members, at least 1 of whom shall
24 be a Member of the House of Representatives,
25 appointed by the minority leader of the House
26 of Representatives.

1 (b) QUALIFIED CITIZEN.—For purposes of this sec-
2 tion, a qualified citizen is a citizen of the United States
3 with—

4 (1) a substantial knowledge and appreciation of
5 the work and legacy of Benjamin Franklin; and

6 (2) a commitment to educating people in the
7 United States about the historical importance of
8 Benjamin Franklin.

9 (c) TIME OF APPOINTMENT.—Each initial appoint-
10 ment of a member of the Commission shall be made before
11 the expiration of the 120-day period beginning on the date
12 of the enactment of this Act.

13 (d) CONTINUATION OF MEMBERSHIP.—If a member
14 of the Commission was appointed to the Commission as
15 a Member of the Congress, and ceases to be a Member
16 of the Congress, that member may continue to serve on
17 the Commission for not longer than the 30-day period be-
18 ginning on the date on which that member ceases to be
19 a Member of the Congress.

20 (e) TERMS.—Each member shall be appointed for the
21 life of the Commission.

22 (f) VACANCIES.—A vacancy in the Commission shall
23 not affect the powers of the Commission and shall be filled
24 in the manner in which the original appointment was
25 made.

1 (g) BASIC PAY.—Members shall serve on the Com-
2 mission without pay.

3 (h) TRAVEL EXPENSES.—Each member shall receive
4 travel expenses, including per diem in lieu of subsistence,
5 in accordance with applicable provisions under subchapter
6 I of chapter 57 of title 5, United States Code.

7 (i) QUORUM.—5 members of the Commission shall
8 constitute a quorum, but a lesser number may hold hear-
9 ings.

10 (j) CHAIR.—The Commission shall select a Chair
11 from among the members of the Commission.

12 (k) MEETINGS.—The Commission shall meet at the
13 call of the Chair.

14 **SEC. 6. ORGANIZATION.**

15 (a) HONORARY MEMBERS.—The President—

16 (1) shall serve as an honorary, nonvoting mem-
17 ber of the Commission; and

18 (2) shall invite the President of France and the
19 Prime Minister of the United Kingdom to serve as
20 honorary, nonvoting members of the Commission.

21 (b) ADVISORY COMMITTEE.—The Commission shall
22 form an advisory committee, to be composed of represent-
23 atives of the major extant institutions founded by or dedi-
24 cated to Benjamin Franklin, including the following:

1 (1) The Executive Director of the American
2 Philosophical Society.

3 (2) The President of the Franklin Institute.

4 (3) The Librarian of the Library Company.

5 (4) The Director and Chief Executive Officer of
6 the Philadelphia Museum of Art.

7 (5) The President of the University of Pennsyl-
8 vania.

9 (c) ADMINISTRATIVE SECRETARIAT.—The Commis-
10 sion shall seek to enter into an arrangement with the
11 Franklin Institute of Philadelphia, Pennsylvania, under
12 which the Institute shall do the following:

13 (1) Serve as the secretariat of the Commission,
14 including by serving as the point of contact under
15 section 4(b).

16 (2) House the administrative offices of the
17 Commission.

18 **SEC. 7. POWERS.**

19 (a) HEARINGS AND SESSIONS.—The Commission
20 may, for the purpose of carrying out this Act, hold such
21 hearings, sit and act at such times and places, take such
22 testimony, and receive such evidence as the Commission
23 considers appropriate.

24 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
25 ber or agent of the Commission may, if authorized by the

1 Commission, take any action that the Commission is au-
2 thorized to take by this Act.

3 (c) OBTAINING OFFICIAL DATA.—The Commission
4 may secure directly from any department or agency of the
5 United States information necessary to enable the Com-
6 mission to carry out this Act. Upon request of the Chair
7 of the Commission, the head of that department or agency
8 shall furnish that information to the Commission.

9 (d) MAILS.—The Commission may use the United
10 States mails in the same manner and under the same con-
11 ditions as other departments and agencies of the United
12 States.

13 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
14 the request of the Commission, the Administrator of Gen-
15 eral Services shall provide to the Commission, on a reim-
16 bursable basis, the administrative support services nec-
17 essary for the Commission to carry out its responsibilities
18 under this Act.

19 (f) PROCUREMENT.—The Commission may enter into
20 contracts for supplies, services, and facilities to carry out
21 the Commission's duties under this Act.

22 (g) DONATIONS.—The Commission may accept and
23 use donations of—

24 (1) money;

25 (2) personal services; and

1 (3) real or personal property related to Ben-
2 jamin Franklin or the occasion of the tercentenary
3 of his birth.

4 **SEC. 8. DIRECTOR AND STAFF.**

5 (a) APPOINTMENT.—The Commission may appoint a
6 Director and such additional personnel as the Commission
7 considers to be appropriate.

8 (b) APPLICABILITY OF CERTAIN CIVIL SERVICE
9 LAWS.—

10 (1) DIRECTOR.—The Director of the Commis-
11 sion may be appointed without regard to the provi-
12 sions of title 5, United States Code, governing ap-
13 pointments in the competitive service, and may be
14 paid without regard to the provisions of chapter 51
15 and subchapter III of chapter 53 of that title relat-
16 ing to classification and General Schedule pay rates.

17 (2) STAFF.—The staff of the Commission shall
18 be appointed subject to the provisions of title 5,
19 United States Code, governing appointments in the
20 competitive service, and shall be paid in accordance
21 with the provisions of chapter 51 and subchapter III
22 of chapter 53 of that title relating to classification
23 and General Schedule pay rates.

1 **SEC. 9. REPORTS.**

2 (a) INTERIM REPORTS.—The Commission shall sub-
3 mit to the Congress such interim reports as the Commis-
4 sion considers to be appropriate.

5 (b) FINAL REPORT.—The Commission shall submit
6 a final report to the Congress not later than January 16,
7 2007. The final report shall contain—

8 (1) a detailed statement of the activities of the
9 Commission; and

10 (2) any other information that the Commission
11 considers to be appropriate.

12 **SEC. 10. TERMINATION.**

13 The Commission shall terminate 120 days after sub-
14 mitting its final report pursuant to section 9(b).

15 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
17 as may be necessary to carry out this Act.

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